

REMARKS

This paper is responsive to the Office Action mailed December 7, 2006.

Claims 1-7 were pending in this application before submission of this paper. Claims 1 and 4-7 have been amended, and claims 8 and 9 are newly added. Support for all amended and newly added claims can be found in the specification, and no new matter has been added by these amendments. Claims 2 and 3 are canceled. Claims 1 and 4-9 are currently pending in the subject application. Reconsideration of the claims in view of the amendments and the following remarks is respectfully requested.

Amendments to the Specification

The Office Action objected to the abstract because it is not a single paragraph. The abstract has been replaced with the abstract presented in this amendment, which is compliant with MPEP §608.01(b).

The specification has been further amended to correct clerical errors in the detailed description of the invention.

Claim Rejections Under 35 U.S.C. §112

The Office Action rejected claims 1 and 3 under 35 U.S.C. §112, second paragraph. Specifically, the Office Action states that the limitation "by computation" as recited in claims 1 and 3 is vague and indefinite. Claim 1 has been amended to remove this limitation and claim 3 has been canceled. Thus, the rejection is overcome.

Allowable Subject Matter

Claims 4-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections Under 35 U.S.C. §102

The Office Action rejected claim 2 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,802,032 issued to *Jacobs*. Claim 2 has been canceled. Thus, the rejection is overcome.

Claim Rejections Under 35 U.S.C. § 103

Claims 1 and 3 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Jacobs*, in view of U.S. Patent No. 6,016,297 issued to *Nagasawa*. Without conceding the merits of the rejection, Applicants respectfully submit that the amended claims overcome this rejection.

Claim 1, as amended, recites "a write power determining method of an optical disk inserted in an optical disk drive before writing to the inserted optical disk." A first step includes "obtaining a push-pull signal amplitude at at least two measuring positions, including an inner circumferential portion and an outer circumferential portion of a recording surface, in a radial direction of the inserted optical disk." A second step includes "determining a relationship of an optimum write power with respect to a radial position of the inserted disk based on the obtained push-pull signal." A third step includes "controlling the optimum write power depending on the radial position of the inserted optical disk based on the determined relationship."

Jacobs teaches a method for recording information on an optical disk at different writing speeds by a radiation pulse of equal length and power. (Abstract). Write power increases as write speed decreases. Different write power values correspond to different radii of the disk. The optimum write power for any radius on the disk is obtained by interpolating between the different write power values. (Column 8, lines 5-12).

Nagasawa teaches a method for reproducing information recorded on an optical disk by projecting a beam of light that has a variable power. (Abstract). An optical head is moved in a direction corresponding to maximum allowable reproduction power toward the outer perimeter of the optical disk such that the reproduction power remains unchanged. (Column 6, lines 27-30).

Neither *Jacobs*, *Nagasawa* nor any of the other cited references, alone or in combination, teach all of the features recited in independent claim 1. Specifically, neither *Jacobs* nor *Nagasawa* teach "determining a relationship of an optimum write power with respect to a radial position of the inserted disk based on the obtained push-pull signal." *Jacobs* and *Nagasawa* also do not teach "controlling the optimum write power depending on the radial position of the inserted optical disk based on the determined relationship." For at least these reasons, claim 1 is allowable over the cited art, as are claims 4-9, which depend from claim 1 either directly or indirectly.

Claim 3 has been canceled. Accordingly, withdrawal of the rejection of claims 1 and 3 under 35 U.S.C. 103(a) is respectfully requested.

CONCLUSION

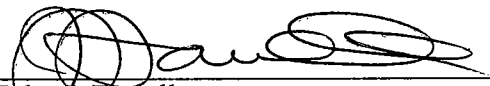
In view of the foregoing, Applicants believe all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 206-467-9600.

Respectfully submitted,

3/5/07

Date



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